

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Liberty Power Holdings LLC)	
)	
Application for Certificate of)	Docket No. 07-0187
Service Authority under Section)	
16-115 Subpart C of the Public)	
Utilities Act.)	

RESPONSE OF LIBERTY POWER HOLDINGS LLC TO THE MARCH 21, 2007
RULING OF THE ADMINISTRATIVE LAW JUDGE

Now comes Liberty Power Holdings LLC and in response to the Ruling of the Administrative Law Judge dated March 21, 2007, states as follows:

- 1. The resumes of the personnel listed in Attachment G do not clearly show that each requirement listed in Section 451.230(b) is met. The two resumes provided by Liberty in Attachment G do not show the specific technical requirements or the length of experience that this subsection requires, Liberty should provide more information to better show how it is meeting the technical requirements listed in this subsection.**

Response:

451.230(b) provides that the application should demonstrate that it has individuals on its staff with demonstrated:

a. two years electric sales experience.

Liberty indicated in Attachment G that Mark Mancino met this requirement. His resume, which is attached to this response, shows that he has been involved in electric sales since 1998.

b. two years electric system operational experience,

Liberty indicated in Attachment G that Mark Mancino met this requirement. Liberty has determined that Ignacio Taveras has better qualifications to meet this requirement. As can be seen from the resume of Mr. Taveras that is attached to this response, he has been involved in various aspects of electric system operation since 2001.

c. three months experience with OASIS reservation processes.

Liberty indicated in Attachment G that Ignacio Taveras met this requirement. His resume shows that he has been working with OASIS reservation process in his current position at Liberty, which he began during 2006.

d. three months experience with NERC or its successor tagging processes

Liberty indicated in Attachment G that Ignacio Taveras met this requirement. His resume shows that he worked with the NERC tagging process from 2002 through 2004.

e. one years experience working with rules and practices established by NERC and MAIN and/or MAPP or their successors and provides

Liberty indicated in Attachment G that Ignacio Taveras met this requirement. His resume shows that he worked with the NERC and MAIN rules and practices from 2002 through 2004.

2. **Liberty states that it meets the requirements of Sections 451.240 and 240(a) this subsection in paragraph 22 of its application and provided supporting information in Attachment H of its application. The one resume listed in Attachment H does not clearly show that each requirement listed in this subsection met, specifically that Mr. Daire has four years experience in a management position with financial and administration responsibility.**

Response:

Attached to this response is the resume of Mr. Daire. That resume shows that since 1996 he has been employed in various management positions with increasing financial and administration responsibility. Since 2002, he has been the Chief Financial Officer of Liberty Power, where he is responsible for all finance and accounting areas.

3. **Liberty states, in paragraph 23 of its application that it will not be using agents and contractors but on page two of Attachment H, Liberty stated that it would be using Fluent Energy to meet the 24-hour manned center. Liberty should correct this inconsistency in its application. If a contractor or agent is being used to meet any part of the technical or managerial requirements Subsection 451.250(b) requires the applicant to certify that the contractors or agents will comply with all Sections of Part 451.**

The reference to Fluent Energy in Attachment H was an error. Liberty will meet this requirement by having its own 24 hour manned center under the supervision of Ignacio Taveras.

4. **Liberty, in paragraph 7 of its application, states that it is seeking to offer service in ComEd and Ameren service territories; it is unclear which of the Ameren service territories Liberty intends to serve. Attachment B of the application shows that Liberty sent one letter of notification to ComEd and one letter to Ameren Corporation; Subsection 451.30(c)(3) requires each utility to be notified not the parent company. Liberty should state which Ameren utilities it intends to offer service to and notify each of those utilities individually.**

Response:

Liberty intends to provide service in the territories of AmerenIP, AmereCIPS and AmerenCILCO. Attached to this response are the letters that were sent to those companies when Liberty first filed a request for an ARES license. Also attached is an affidavit providing the date that those letters were sent.

Dated: March 29, 2007

Respectfully submitted,

Liberty Power Holdings LLC

By: /s/ Stephen J. Moore
Stephen J. Moore
Rowland & Moore LLP
200 W. Superior St., Suite 400
Chicago, IL 60610
(312) 803-1000
steve@telecomreg.com

VERIFICATION

State of Florida)
)
County of Broward) ss

Alberto Daire, being first duly sworn, deposes and says that he/she is
CEO of Liberty Power LLC; and that he/she has read
the foregoing Response to Administrative Law Judge's Ruling and the attachments to that
response and that the statements contained in the response and the attachments are true,
correct and complete to the best of his/her knowledge, information and belief.



Subscribed and sworn before me this

28 day of March, 2007



Notary Public



Notary Public State of Florida
Helaine Goldstein
My Commission DD555276
Expires 05/22/2010

Mark Mancino

PROFILE

Highly motivated Energy Executive with over 20 years of demonstrated success in energy related industries including both regulated and unregulated markets. Demonstrated track record in establishing and implementing successful, profit-based sales teams while developing and leveraging the diversity of skills and experience necessary to succeed within a team-oriented environment. Strengths include thorough understanding of related ISO markets, complex pricing products and structures, contract negotiations, account management profiling and strategic selling techniques. Exhibits a strong work ethic combined with a high level of confidence in building relationships and making presentations at the executive level.

PROFESSIONAL EXPERIENCE

Liberty Power Corp, Houston, TX Vice President, Large C&I Sales

Primary production in this role is to develop and implement a strategic sales plan for the National and Regional LCI markets. Targets include Fortune 1000 Companies and Regional credit-rated accounts.

- Collaborated in the development and implementation of critical processes for indicative and executable pricing, credit approval, contract administration and deal execution.
- Developed account-criteria matrix to screen Fortune 1000 Companies to produce list of target accounts with highest probability of closing.
- Recruited and hired three additional LCI team members in 2007 including two Regional Sales Managers and one Manager of LCI Customer Services based in TX, NY and FL.
- Developed and produced LCI Account Management process and LCI Welcome Packet.
- Collaborated in the development of management reports produced in salesforce.com including Weekly Sales Funnel, Sales Activity and Deal Summary Reports.

TXU Energy Houston, TX Director of Sales, South Texas Region

March 2003-December 2005

Responsible for developing and implementing sales strategy targeting the large commercial/industrial market segment in South Texas. New sales strategy based on the renewal and acquisition of profitable customers with solid credit ratings versus market

share.

- Achieved highest \$/Mwh of Gross Margin of three TXU regions
- Provided daily support to sales staff as key liaison to Dallas-based groups such as trading, deal optimization, legal and credit to increase sales
- Managed sales team of 5 to 9 Sales Executive located in five regional offices including Houston, Lufkin, Corpus Christi, Harlingen and Round Rock, TX
- Produced and analyzed Siebel based reports on sales activities and opportunities for S. Texas sales force
- Provided Houston-based support for third party sales through aggregators, brokers and consultants

TXU Energy Dallas, TX

Director of Sales, Small/Medium Business

January 2001-March 2003

Overall responsibility for developing and implementing multiple sales channels focused on retention of existing high-value PTB customers and acquisition of new out-of-territory customers.

- Designed and implemented TXU sales strategy and pricing products for 2001 Pilot Project
- Developed and implemented multiple sales channels including direct sales force (8), high value call center (50 account managers), contract sales force and third parties for 2002 Market Open
- Developed database and produced reports to effectively track customer-retention and customer-acquisition activities by sales channels
- Implemented SMB version of Siebel sales automation system for direct sales force and high-value account management call center

TXU Electric and Gas Dallas, TX

East Region Manager, New Customer Development

January 1998-January 2001

Responsible for negotiation and administration of electric and gas capital expenditures for new construction in TXU's East Region. Co-developed New Customer Development concept and group that combined electric and gas line extension groups following merger of Lone Star Gas and TXU in August 1997.

- Managed New Customer Development organization comprised of three District Managers and 30 New Customer Development Managers in East Region.
- Maintained consistency of negotiations in accordance with regulated line extension policies for new residential development and commercial/industrial

- customers
- Negotiated non-refundable CIAC (Contribution In Aid of Construction) contracts with developers and end-use customers
- Worked closely with regulated Transmission and Distribution construction counterparts to provide service on-time and under budget

Lone Star Gas Company Dallas, TX
Director of New Business Development

October 1995- January 1998

Responsible for new capital construction activities for Lone Star Gas Company including mainline extensions, service line and meter-set installations. New Business Development group created via re-engineering efforts that combined the activities of sales, contract negotiations, design and construction into a single group.

Lone Star Energy Company Dallas, TX
Director of Operations

January 1990-October 1995

Managed unregulated company of Lone Star Gas created to develop the infrastructure and growth for compressed natural gas and liquefied natural gas as a vehicular fuel in Texas. Accomplishments included the construction of 25 public/private fueling stations through negotiated ventures with Amoco, Transco and Fina. Customers included United States Postal Service, Dallas Area Rapid Transit, United Parcel Service, Houston Metro, City of Dallas and Texas Department of Transportation.

Lone Star Gas Company Dallas, TX
Director of Technical Sales and Service

March 1987-January 1990

Managed a technical sales and service organization responsible for commercializing the use of new gas technologies such as gas-fired absorption cooling, cogeneration and natural gas powered vehicles.

EDUCATION

BBA Management, Southwest Texas State University, San Marcos TX, 1977

Ignacio Taveras

800 W Cypress Creek Rd Suite 410
Ft. Lauderdale, FL 33309.
954-598-7037
itaveras@libertypowercorp.com

Professional Experience

Liberty Power, Vice-President Pricing, Structuring & Risk Management, 2006 - Present

- Responsible for providing leadership in establishing strategies and direction, developing processes and methodologies, and implementing policies and procedures in the following areas:

- Retail market analysis and product structuring
- Wholesale market fundamental analysis
- Pricing and deal structuring
- Hedging and supply management
- Energy operations
- Load Forecasting, scheduling, Transmission Reservation (OASIS)

Liberty Power, Director of Pricing & Risk Management, January 2005 - 2006

- Responsible for overall development and implementation of pricing strategy and deal structuring. Approved indicative pricing and reviewed executable pricing before final approval from Risk Control. Led the development and analysis of hedging strategies for retail deals and other portfolio requirements. Monitored the performance of the market manager books and analyzed violations to risk limits established by the Risk Control department. Provided leadership to the team to manage the daily requirements to serve load

Reliant Energy, Manager, Pricing & Structuring, 2002 - 2004

- Responsible for all pricing activities for industrial customers in Texas and all retail deals in the Northeast.
- Responsible for the development of forward curves of non-liquid commodities.
- Developed additional technical expertise or secured external resources in the areas of congestion and ancillary services
- Experience with NERC and NERC processes and MAIN rules

Enron Energy Services, Manager, Retail Structuring, 2001

- Led the product development and retail structuring functions for the New England and PJM markets, for both small and large commercial customers

Enron South America, Trader, Trading & Marketing, 2000

- Led the development and implementation of trading operations in Central America and Colombia. Executed hourly trades between generators and loads. Monitored the real-time load versus day-ahead positions and bought or sold power based on the real time positions and evaluation of market conditions

Constellation Power, Manager, Origination, 1999-2000

Public Service Energy Resources, Manager, Structuring and Fundamentals, 1997 - 1998

- Worked as a member of the Market Fundamentals team in information collection, analysis and distribution of key market data
- Supported various members of energy trading and portfolio optimization teams to include coal and emissions trading and portfolio management, coal group, numerous power trading teams, power generation and gas trading
- Performed innovative statistical analysis providing informational advantages to core groups, ensured company's interests were protected from changing market landscape
- Initiated new fundamentals ideas on trade floor to leverage public and private market information and communicate these ideas among various groups

Coastal Power, Manager, Business Development and Origination, 1996 - 1997

World Bank, Consultant, 1994 - 1996

Education

- 5/85 BS, Electrical Engineering, Instituto Tecnológico de Santo Domingo
- 5/90 Masters, Electrical Engineering, University of Pennsylvania
- 5/94 Masters, Energy Management, University of Pennsylvania

Alberto Daire

1500 Bay Rd #1044

Miami Beach, FL 33139

(305) 992-8142

alberto.daire@libertypowercorp.com

EDUCATION	THE UNIVERSITY OF NORTH CAROLINA KENAN-FLAGLER BUSINESS SCHOOL Master of Business Administration, May 1994. Recipient of Consortium for Management Fellowship. Chapel Hill, NC
	UNIVERSITY OF MIAMI Bachelor of Science, Industrial Engineering, May 1989. GPA: 3.80. Marchel Schaps Award - Outstanding Industrial Engineering Senior. Omicron Delta Kappa Leadership Society. Miami, FL
EXPERIENCE	
2002-Present	Liberty Power Corp <i>Chief Financial Officer</i> Responsible for all finance and accounting areas for an electric energy service company serving customers in deregulated states. Ft. Lauderdale, FL
2000 - 2002	Nortel Networks - Caribbean & Latin American Division <i>Senior Manager, Business Development.</i> Manage group responsible for providing consulting services for Nortel customers with the objective of driving new business sales. Sunrise, FL <ul style="list-style-type: none">• Responsible for managing customer engagements, qualifying opportunities and development of account strategy.• Perform market analysis, customer portfolio analysis and innovative business case development to further grow Latin American market.• Manage staff of 3 consultants.
1998 - 2000	<i>Senior Manager, Business Analysis & Planning.</i> Manage financial planning of \$600M wireless telecommunications product portfolio in the Latin American Region. <ul style="list-style-type: none">• Review and appropriate contract proposals with regard to strategic value to Nortel and profitability including pricing, margin analysis, and cost reduction.• Manage staff of 1 manager and 2 analysts.• Assist commercial marketing team during contract negotiations for major customers.
1996 - 1998	<i>Manager, Business Analysis & Planning.</i> Responsible for formulating and developing quarterly forecasts for the \$800M Latin American division of a global communications network provider. <ul style="list-style-type: none">• Supervise staff of 3 analysts responsible for performing financial analysis on forecasts and actuals of entire region.• Provide finance support to Enterprise Networks division including margin analysis, asset management, and cost reduction.• Key finance member of project team required to analyze and negotiate two \$300M contracts with a South American telephone service provider.
1994 - 1996	<i>Senior Financial Analyst.</i> Miami, FL <ul style="list-style-type: none">• Utilized financial expertise to analyze strategic business opportunities identified in the region.• Key finance member of cross-functional team tasked with analyzing the feasibility of establishing a manufacturing plant in Brazil.• Designed 4 profitability models for regional products and presented recommendations to executive management.
1991 - 1992	GE Electrical Distribution & Control <i>Manufacturing Supervisor.</i> Supervised staff of 11 machine operators (IUE Union). Managed the production of 2 million metal piece parts per week. Bridgeport, CT <ul style="list-style-type: none">• Initiated cost cutting programs which reduced manufacturing expense by 32%.• Coordinated special cross-functional groups. Organized operators into problem solving teams resulting in a 35% reduction of scrap costs.

1990 - 1991	<div> <div>GE Aerospace</div> <div>East Windsor, NJ</div> </div> <p><i>Sourcing Specialist.</i> Procured electronic and mechanical components for Aerospace Group.</p> <ul style="list-style-type: none"> • Negotiated agreements with 29 major suppliers for Electronic Data Interchange (EDI). Resulted in savings of \$250,000 per year. • Coordinated implementation of two supplier systems with combined yearly purchases of \$2.4 million. Consolidation resulted in savings of \$350,000 over previous 20 suppliers.
ADDITIONAL DATA	<p>Bilingual: fluent in Spanish</p> <p>Proficient with spreadsheet and database software (Lotus, Excel, Dbase)</p> <p>Traveled extensively throughout Europe & Latin America.</p>

VERIFICATION

State of Florida)
)
County of Broward) ss

Karen Abbott, being first duly sworn, deposes and says that she is an employee of Liberty Power Corp., LLC and that on or about November 20, 2006, she sent the foregoing letters to AmerenIP, AmerenCILCO and AmerenCIPS. Further Affiant sayeth not.

Karen Abbott
Karen Abbott

Subscribed and sworn before me this

22nd day of March, 2007

[Signature]
Notary Public



Notary Public State of Florida
Helaine Goldstein
My Commission DD555276
Expires 05/22/2010



LibertyPower

800 W. Cypress Creek Road, Suite 330
Ft. Lauderdale, FL 33309
(866) POWER-99
(866) 769-3799
Fax: (954) 772-2354

Ameren CIPS
607 East Adams Street
Springfield, IL 62739

To Whom It May Concern:

This letter is to notify the utility Ameren CIPS of Liberty Power Delaware LLC's intent to provide power in your service areas.

If there are any questions or concerns please feel free to call me at 954-598-7028.

Thank you for your time.

Regards,

Karen Abbott

Karen Abbott



800 W. Cypress Creek Road, Suite 330
Ft. Lauderdale, FL 33309
(866) POWER-99
(866) 769-3799
Fax: (954) 772-2354

Ameren CILCO
One Ameren Plaza
1901 Chouteau Avenue
St. Louis, MO 63103

To Whom It May Concern:

This letter is to notify the utility Ameren CILCO of Liberty Power Delaware LLC's intent to provide power in your service areas.

If there are any questions or concerns please feel free to call me at 954-598-7028.

Thank you for your time.

Regards,

A handwritten signature in cursive script that reads "Karen Abbott".

Karen Abbott



800 W. Cypress Creek Road, Suite 330
Ft. Lauderdale, FL 33309
(866) POWER-99
(866) 769-3799
Fax: (954) 772-2354

Ameren IP
One Ameren Plaza
1901 Chouteau Avenue
St. Louis, MO 63103

To Whom It May Concern:

This letter is to notify the utility Ameren IP of Liberty Power Delaware LLC's intent to provide power in your service areas.

If there are any questions or concerns please feel free to call me at 954-598-7028.

Thank you for your time.

Regards,

A handwritten signature in cursive script that reads "Karen Abbott".

Karen Abbott

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Response of Liberty Holdings LLC to the Administrative Law Judge's Ruling has been served upon the parties identified on the official service list for this docket maintained by the Clerk of the Illinois Commerce Commission, on March 29, 2007, by electronic mail.

s/ Stephen J. Moore
Stephen J. Moore